of the day Ruth Whosler disspat 8. walked out to 120th street, bought the pot of paint and the brush, went to Central Park, loitered there until half when he went to lunch where Katie Mueller was awaiting him.

He again went to Central Park. urned to his flat and painted the fire-The reason he gave up that flat, said, was because the police and dene said, was because the police and de-rectives were searching the place and he did not want to live there "under the cir-cumstances." He denied positively ever having seen Ruth Wheeler. He explained the entry in his notebook regarding Ruth by saying that he had entered it at the dictation of a man named Fred Ehrendts, with whom he contemplated opening a school of stenography.

CROSS-EXAMINED

When Mr. Moss in cross-examination bad asked a few questions to show that Wolter had lived an idle life he asked him how much he weighed and what his height was The answers were indefinite, and Mr. Moss told him to stand up and hold his hands out so that the jury could see them. The witness obeyed, and as he stood with his hands turned palms foward the jury they were seen to be uncommonly large and powerful looking.

but the palms were soft and white.

Mr. Moss went over the story of the witness's occasional employments for brief times, disclosing that he had lost one position because there was some money missing." Then Mr. Moss further discredited the witness by reading extracts from journals Wolter admitted were his. These he said he had copied from tewspapers. They were all either were his. Those he said he had copied from hewspapers. They were all either suggestive or stories of crimes of violence. Is to this point the witness had remained seemingly calm, but he came near to breaking down when Mr. Moss, continuing upon the fact that the Ruth Wheeler entry in one of the books included the date March 27, 1910, suddenly thundered at the witness.

if this mysterious Fred Ehrendts fict ited that address to you as a possible supil of your intended school, did you aid the date?" witness did not reply and Mr. Moss

outed: "You wrote it because you had seen Ruth and to invite her confidence had told her that you would give her em-ployment on that date, the beginning week after the week of her call." he witness replied faintly, "No," and Moss took up a new line of question— This showed that the Ruth Wheeler entry in the book had the name of Ruth's

dictation of the police was written with-out those capitals. A witness had tes-tined that Ruth had carried with her when she started to go to Wolter's a printed business card of the college in which its name was capitalized as in the a young woman in the court room as one who had called on Wednesday evening in response to Wolter's request and had

made a positive engagement to call the next day at 9 o'clock in the morning.

And not knowing that that little girl "And not knowing that that little girl had had her suspicious aroused and you expecting her the next day, you cleared

expecting her the next day, you cleare out, you say at 8 o'clock in the morning?

The witness explained that he expected herendts to meet the girl. Next Mr. Moss showed the witness a package of pictures found in Wolter's bed. The witness admitted having bought them, and then Mr. Moss, thrusting them into Wolter's bed. you ever see anything filthier more criminal?"

"Mr. Scott objected to the word crim-ical and Mr. Moss took the pictures and threw them on the table before Mr. Scott. "I will leave it to you if they are not

The witness admitted that he had told

paper advertisement. When Mr. Moss asked why he had sent that to the police-men the witness replied that he did not then know what he was charged with. This was on Friday night, when the police thought they were working on an abdue-tion case. Wolter admitted that the nightshirt used as a covering of one of the bundles was his, but could not ex-plain how it became bloodstained and

examination that the witness again nearly broke down Mr. Moss led him to talk about the stove removed from in front of the fireplace and asked him suddenly rema ned silent, and then Mr. Moss said: A piece of wire, wasn't it?"
Wolter replied after another silence,

"I'don't know."
Again air Moss refrained from pressing

he line of questions which had nearly brought Wolfer to a collapse and the witness was soon dismissed from the etand LITTLE EXIDENCE IN RESPITAL The rebuttal came quick and sharp be superintendent of the commercial

school said he had never inserted an advertisement for Ruth Wheeler. An elderly German, David Schott, testifi ed on the morning of either Wednesday the 23d or Thursday the 24th. Mrs. Sarah Hanley, a neighbor of Schott, made it positive that the day Schott saw Wolter was on Thursday. She met and spoke to Schott on the occasion and she knew it was Thursday because she was returning with her children from Holy Thursday

church service

Pearl Wheeler, recalled, began the utter destruction of the evidence given by the Gilhe woman. Pearl said she had met Mrs Gilhe in the house where she was looking for Ruth, had told her the facts. Mrs. Gilhe had been sympanish to keep a publicate. ic and promised to seep an outlook Ruth and for Wolter. That was Friday. Pearl Wheeler asked Mrs. Gillie if she had seen any girl in the house the day before. Thursday, and Mrs. Gillie replied. No. I was out all day Thursday, at home with my mother

Policeman Devine testified to absolutely the same facts. He was with Miss Wheeler at the time and to him too the woman said she was out all day Thursday Officer Mauser followed and gave absolute corroboration to the two preceding women. Mrs. Mohl, wife of the landlord, said that Mrs. Gillie did not even have a room in the house, but she visited there to take care of a man's room. She knew that Mrs. Gillie had not washed on Thursday, because she herself was washing on that day and it was on the next day she supplied Mrs. Gillie with for washing. That ended the rebuttal and the defence recalled Katie Gillie, who asserted positively that she was living in the house on Thursday the 24th Mr. Moss agreed to admit that such was the fact, although be did not admit that the woman had a room

Both sides announced that they had no further evidence, and at 2:30 Judge Foster declared a recess until 4:30, when said he would give counsel an hour in

DEPENCE'S WITNESS CONTRADICTED When court reconvened, at 4:30 o'clock. a man named Montgomery was conducted to the bench, where he told Judge Foster that he was a tenant in the house 224 East Seventy-fifth street and it was his room there which Katie Gillie cared for He said he was prepared to swear that He said he was prepared to swear that she was not in his room, as she swore she was, on Thursday; that his room was closed and locked all day, and that it was on Friday, not Thursday, that she was on the premises. Montgomety said that he had received threatening letters which had made him unwilling to appear as a witness, but in view of the woman's testimony he was prepared to go on the

stand Foster told Mr. Moss that in Foster told Mr. Moss that in view of the statement made by Mont-gomery he would entertain a motion to reopen the trial for evidence, but Mr Moss decided that the woman's evidence had been so thoroughly refuted he would to have the proceedings inter-The woman was detained in sess from under the impression

SUMMING UP FOR THE DEFENCE In summing up for the defence Mr. Seott devoted most of his effort to an attack on circumstantial evidence and a plea for mercy for "this boy, weak minded, untaught, the victim of environment." The lawyer spoke three quarters of an hour with much course. of an hour with much energy MORS FOR THE PROPLE

Mr. Moss, who summed up for the State, spoke a little over an hour. He devoted most of his time to a review of the evidence and but little to the great opportunity offered for effective jury work on the pathos in the case. He did at times interrupt his work of assembling the circumstances to refer to the victim. Once, picking up some of the restore bones, he exclaimed, There was a firm I did not dare touch these things. But do not fear them now; they are holy, the

are relies of a martyr to chastity!"

Replying to Mr. Scott's plea for Wolter on the grounds of the defendant's ignorance, his lack of wit and understanding, Mr. Moss said, "To prey upon the guileless, the innocent the unsuspecting does not take great wit" not take great wit "
Judge Foster's charge to the jury took

twenty minutes for delivery that all the several circumstances need not be proved beyond reasonable doubt if a sufficient number of sufficient weight were proved and had convincing elements

themselves.
The jury retired at 7.10. An hour later, the jury still being out, a recess was taken until 9:30. When the recess was announced there was a persistent report that the jury stood 11 to 1 for conviction of murder in the first degree

JOHN R. SEVER DEAD. Killed Himself When He Received News of His Wife's Death.

John R. Sever, a reporter for THE SUN for many years, killed himself yesterday after learning of the death of his wife, who had been ill for several months. Mr sever had recently moved into an apartment at 539 West 162d street and had planned to have his wife taken there from St. Luke's Hospital. alled at the hospital yesterday morning o inquire about his wife he was told that she was dead. After leaving the hospital he went directly to Morningside Park. he went directly to Morningside Park, where he sat down on a bench overlooking the city and shot himself through the head. Mr. Sever leaves one daughter. Alice Lawrence Sever, 19 years old. Mr. Sever was born in New York 58 years ago. He began writing when he was still in school and before going into newstrater work he wrote many stories.

newspaper work he wrote many stories and sketches for the Waserley Magazine He worked for some years on the Times and in 1883 joined THE SUN staff. Mr. Sever's health failed in 1892 and he

Mr. Sever's health failed in 1892 and he left active newspaper work and obtained a place as chief clerk of the Building Department. He resigned from the department in 1895, but was reappointed the following year and was employed there at the time of his death.

The funerals of Mr. and Mrs. Sever will be held from the Church of the Holy Communion at Twentieth street and Sixth avenue at 2 o'clock Sunday afternoon.

VANTS TO GIVE HIS FORTUNE. in I mamed New Yorker Seeks the In corporation of a New Foundation.

ALBANY, April 22.-Considerable specu ation was caused here to-day when the Assembly passed the bill of Assemblyman Artemas Ward, Jr., of New York incorporating the "Economic and General Foundation" of New York city. Mr. Ward said that the purpose of his bill was to further altruistic endeavors in the State large fortune which has been accumulated by one of New York city's millionaires who proposes to distribute his fortune along lines similar to the Carnegie Fund plau. Mr. Ward said to-day that he could not remember the name of the man who was going to give up \$1,000,000 or more, but he felt sure that he was going to

"The name has been given me," said Mr. Ward, "but just who it is I can't say

name of the man who intended to give only recall of the artists. away his fortune. It did not come out. Mr. Ward says he forgot was the same one and Mr.e. Fallieres and Col. Roosevelt who advertised some time ago for the led the way to a room where refreshments best method of giving away a million dollars where it would do the most good.

Damages for American Writer Forced to tiet Off Car in the Dark.

pecial Cable Despatch to THE SUS ROME, April 22. Rose Troup, an Amersleeping car company for injuries she that he had seen Wolter in front of 224 sleeping car company for injuries she East Seventy-fifth street hatless and sustained while travelling from Rome to looking restless some time after 9 o'clock. Genoa. Owing to a breakdown of some kind she was told to alight. It was dark at the time and in obeying the order she broke her leg.

> AERIAL RACES AT ANGERS. Airships to Contend Over a 25 Mile Course in July at Aviation Meet.

Special Cable Desputch to THE SUN ace will take place at the Anjou aviation | had assembled in the court saluted by meeting on June 7 over a 25 mile course raising their hats. from Angers to Saumur

The competitors will be started at fiveninute intervals

Neumayer Mayor of Vienna

Special Cable Despatch to THE SUS VIENNA. April 22.-Vice-Burgomaster Neumayer has been elected Mayor, to succeed the late Dr. Carl Lueger

place last night at the Hotel Gramatan. Bronxville. Last year a historical pag-eant at the hotel was given for the same The ball now is to be a permanent nstitution. There were between 350 and 100 persons present Something over 100 automobile parties came from various

CENTRE OF THE LIGHT OF CIVILIZATION. HE SAYS.

setures Traditions in Speech at Bi With President Pattleres Visits Re-poleon's Tomb and Admires the Venus of Milo The Press Priendly.

Pages. April 22. With the except the dinner and the reception at the Palace of the Eiysee this has been a Baedeker day for Roosevelt. The same programme has been followed as in th other great capitals, Rome and Vienna. A tribute was first paid to the quick and then to the dead.

But Paris afforded a difference. Her the ruling quick had no royal dead upor whose tombs Roosevelt might lay flora tributes and no thunderstorm marked his visit to the mausoleum of Napoleon I., as happened in Rome and Vienna when he visited the Pantheon and the

Every relic of the great Napoleon was shown him, and he inspected carefully everything in the Invalides Museum. When one suit of mail was produce had no interest for him, as it was only ornamental, not useful. The practical was all be cared for.

He was interested to see a fragmen of a British flag hanging above the Em peror's tomb. He wanted to know its history, and was informed that it was

"As at the Invalides, so at the Louvre it was sightseeing under, of course, the best auspices. Col. Roosevelt spent comparatively long time contemplating the statue of the Venus of Milo. He made occasions to issue delicate and apparently very acceptable compliments to French appreciation of art. The dinner at 8 o'clock at the pala

the Elysée would have been quite a routine affair but for Col. Roosevelt departing from the dry as dust formula of the protocol in replying to his toast, French President used the usual kindly phrases in referring to the great country which was friendly and which he trusted would always be friendly. Col. Roosevelt in his reply eulogized France as the centre of the light of civilization, and said that since he had been here he had been struck with an idea which he intended to use in his Sorbonne lecture to-morrow. There were 104 guests at the dinner,

luding the entire Cabinet, members of the white slave traffic congress, member of the American Embassy, Mrs. Roose Mrs. Grow, W. K. Vanderbilt and his wif and ex-President Loubet.

The dinner was followed by a recen There was also a musical enter tainment. The guests were chiefly mile tary and official, with prominent mem hers of the American colony. At 11 o'clock the company gathered in the Salles de-Fêtes, a tapestried chamber brilliant with painted ceiling and glittering lights from many crystal chandeliers.

The general company entered the room first, and all stood as President Fallières with Mrs. Roosevelt on his arm, followed by Roosevelt and Mme. Fallières, entered, preceded by two ushers. In the front row two armchairs in the middle aisle were occupied by Mmes. Rooseveit and Fallières, flanked by M. Fallières on the left and Roosevelt on the right in two other armchairs. The programme lasted until midnight

It consisted of recitations by Moune Sully and Mme. Bartet and songs and duets by Mmes. Litvinne and Carre and MM de Ferraudy, Delmas and Fugère concluding with the fifth tableau from Gounod's "Romeo and Juliet," sung by Mary Garden and Saleza in costume talked that he wished to keep secret the This evoked the loudest applause and the

After this the company stood whose name president Fallieres and Mrs. Roosevelt Roosevelt talked and complimented Miss Garden and the other artists. As before \$1,000 FOR ROSE TROUP'S LEG. the concert, he was the centre of the thickest of the crowd.

A considerable crowd assembled the Hotel des Invalides when Col. Roosevelt, with his son Kermit and Ambassador Bacon and M. Jusserand, the ican writer, has recovered \$1,000 from a French Ambassador at Washington, arrived at noon. Gens. Dalstein, Feldmann and Niox received them at the entrance. They first visited the chapel

and then the crypt where the tomb stands. The reliquary, which contains swords belonging to the great Napoleon, was opened and the Colonel handled several of the bladgs.

Col. Roosevelt next visited the various rooms of the military museum which contain Napoleonic relics. When the Paris, April 22 - The first official aerial party left several hundred people who formerly of Boston, who is suing the

> After luncheon the Colonel went to the Louvre, visiting many of the halls and finishing with a long admiring look at the will be valued by official experts. Venus de Milo. There was a reception at the American Chamber of Commerce

at 5 o'clock in the afternoon. Leon Bourgeois, former delegate to the Hague conference, adds his tribute to that of M. Pichon to Col. Roosevelt former President's efforts in the direction The first annual charity ball for the of peace, and declares that his ardent of Boston, in New York benefit of the Lawrence Hospital took patriotism, coupled with his great love of justice and right and his sincere desire for peace, played a considerable part in the development of international jus-M. Bourgeois adds that it was due tice. to Col. Roosevelt's lofty moral views that the American and French delegates to The Hague continually cooperated

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\$18 to \$45, a wide range of prices for our Suits and Overcoats-one grade of workmanship, however-the best.

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is the essential work of organising inter-national rights and the establishment of an

Louvon, April 23.-The Chroniele's Paris correspondent says that Col. Roosevelt is causing the Government some anxiety. It is whispered that his Sorbonne lecture may contain some statement which will give Republicans especially and the world generally cause to ponder. It happens that the general elections will be held in France on Sunday, and every political party and faction is anxiously awaiting the lecture to make

political capital out of it. if the officials had dared Col. Roosevell would have been asked to be cautious in his utterances, but after the recent refusal on Friday to receive certain newspaper representatives here it was recogfixed that he must be allowed to go his

Paris to the Pall Mall Gazette says that Col. Roosevelt in the capacity of ami bassador extraordinary for America has stirred the enthusiasm of the French. The papers all print long articles on energy, resolution and high and sans principles of government. The correspondent adds that there is a note of unility in some of these panegyrics, as if France regretted that she could not grow Roosevelts. The correspondent

"One wonders what would happen if France were only under the stimulus of a Napoleon, if not his imperial temper. It is because of the contrast between Roosevelt and the present day Frenchman, because he carries the breath of world to the old jaded hemisphere, that he is welcome as a type of world con-queror, as a leader of the great Western ocracy which has not as yet reached

BUDAPEST, April 22.—The glamour Roosevelt's visit is still operating here The Municipal Council is considering proposal to enshrine Roosevelt's speed the civic archives. This probably will be done and Roosevelt will be for mally notified.

THE FIRST AIRSHIP FLEET. 3 Filers Sail in Company From Cologne to Homburg Kaiser Inspects Them.

Special Cable Despatch to THE SUN. column like battleships at sea, Zeppelin II., Gross I. and Parseval II., representing respectively the rigid, semi-rigid and -rigid types of balloons, left Cologne at 11 o'clock this morning for Homburg where the Kaiser will inspect them.

The passengers in the balloons include Gen. Baron von Lyncker, the chief of the Kaiser's military eabinet; Gen. von Sperling, the Governor of Cologne, and numer ous staff officers.

Since the start the airships have been ighted at various places. One was seen over the fortress of Ehrenbreitenstein near Coblenz, making toward the Ems and travelling at the rate of thirty-six About fifty minutes later the balloon

passed Bingen at an altitude of 600 feet. Airships were also seen over Wiesbaden. Keeping their stations with the same gularity as at the start, the airships eached Homburg soon after 4 o'clock after an uneventful voyage on which they averaged twenty-two miles an hour. Before descending the three air ships executed a series of picturesque manœuvres above the town, delighting the Kaiser and his companions exceed-

place, keeping in line. The Zeppelin II alighted with skilful ease, as did also the Parseval XII., the latter landing at the very feet of the imperial party. The Gross I., however, met with misfortune. It could not make the landing place and finally after successive attempts came hundreds of yards distant, but so far as known it was not damaged.

were served from a buffet. Here Col. the Kaiser hastened to congratulate the As soon as the airships were anchored crews. He conducted the Kaiserin and his daughter around the airships, pointing out features and suggesting viewpoints to his daughter, who delightedly took snapshots.

The trio reascended and started on the return at 6 o'clock. The northwest wind Columbia. which had helped them on their outward voyage was still blowing, giving the prosnect of a less easy homeward loarney

TO VALUE D'AULBY'S PICTURES. Police of Paris Seal Up Eighty-three Carvases for Expert Appraisers.

Special Cubic Desputch to THE SUN Pants, April 22 - M. Hamard, the chief of the investigation department of the police system, visited this morning the home of Mrs. Charles Hamilton Paine, "Count" and "Countess' d'Aulby Gratigny for \$40,000 for selling her fake pictures. Police seals were placed upon eighty-three canvases and pictures which

It is stated that D'Aulby while in New licitor. When he returned to America. it is alleged, he found that the solicitor had become a bankrupt and he had to in to-day's Matin. He dwelts on the former President's efforts in the direction

> England Grants the Extradition of Mathusie, Altas Blum, of St. Louis.

Special Cable Despatch to THE SEN. London, April 22.-Extradition papers Mathusic, alias Blum, on evidence given by Officer Shea of St. Louis, Mo. stated that Mathusic, who was recently arrested in this country, escaped from twelve year sentence for robbery in St

NINETY-FIVE LOST IN FLOOD. Property Loss in Servin \$2,500.0 Many People Injured.

Special Cable Despatch to TWE SUN.
BELGRADE, April 22.—The river Morava continues to rise. Already ninety-five lives have been lost and the property losses amount to more than \$2,500,090. Two hundred persons have been injured. The town of Kraguyevatz is completely submerged.

BERLIN LOCKOUT ENDED. Union Builders Accept Ruling of the

Industrial Arbitration Court Special Cable Bespatch to THE SUR. BERLIN. April 22. The troubles in the building trades which led to the lockout of many thousands of men have been

ettled for three years. The unions have accepted the dustrial court's arbitral award.

GEORGE WASHINGTON UNI-VERSITY THE LOSER.

Phillips Says the Fund Was Dissipate to University Officials and All Test Remains is a Note of \$10,000 Given by the President for Money Borrowed.

WASHINGTON, April 22.-A big stir was caused in educational circles here to-day over a statement made by Dr. orge Washington University, that the Corcoran endowment fund of \$300,000 The Superintendent expe of that institution had been dissipated to Poughkeepsie next week by officials of the university. Dr. Phillips charged that the fund to-day is repre sented only by a promissory note of \$16,-000, given by Charles W. Needham, the president of the institution and an educator of national reputation, in return for money borrowed from the university ham's residence, which Dr. Phillips de-clared is not worth more than \$5,000.

ing before the House Committee on the District of Columbia, which is considering a resolution calling upon the Attorney-General to make an inquiry into the finances of the university. for a share of the annual appropriations made under the terms of the Morrill law for the benefit of State agricultural colleges. This application has been bit terly opposed by several State institutions and the proposed investigation of the affairs of the Washington institution seems to be part of the campaign against its participation in the Morril appropriations.

These disclosures were made at a hear

In referring to the Corcoral endowment fund Dr. Phillips called attention to the fact that in President Needham's report for the year 1909 the fund is no longer referred to as "the Corcoran endowmen fund," but as "the Corcoran fund." He said that so far as the friends of the institution were able to learn the fund had disappeared with the exception of \$18,000 which was represented by President Needham's note, with his residence as

"If officials of the university had the right to loan themselves money out of the university funds in the past would they not have the same right to borrow such funds as might come to it in the future?" asked Representative Johnson

"It would seem so," replied Dr. Phillips who admitted he had been dropped from the university faculty, but said he did know why. H. T. Domer, an alumnus of the

versity and a member of an investigating ommittee of seven graduates selected to examine the finances of the institution testified that the committee had not been permitted to inspect the books of the university. He told the committee that such permission had been formally requested by letter, but that President Needham had replied that such permission could not be given without action by the board of trustees.

So far as Mr. Domer knew, Presiden Needham, although expressing a desire to aid the committee in its inquiry, had made no attempt to secure the formal permission of the board of trustees for he desired inspection of the books.

The disclosures of to-day make certain thorough inquiry into the finances of George Washington University by the Government. The institution has been in straits for a year, its instructors be lenied the benefits of the Carnegie fund as a result of the action of President Needham in dropping a number of the members of the faculty. President Needham will have his turn on the witness stand to-morrow.

President Needham in a formal statement issued to-night denied that the Corcoran endowment fund had been made by Dr. Phillips had been fully answered in hearings given before the Mahwah: Edward S. Hanco, Wharton Senate and House Committees on Agri-culture. President Needham said that Station. New York: Samuel D. Mul-Senate and House Committees on Agriafter explanation had been made in regard to the disposition of the fund the House committee had unanimously voted in favor of the designation of the George Washington University as administrator of the Morrill fund in the District of

EIGHT FIREMEN OVERCOME. Gas From Leaky Pipes Does Harm at Small Blaze.

A pile of lumber in the basement of a five story tenement at 158 Ridge street caught fire late yesterday afternoon and the heat made the gas connections leak. Eight firemen had to be carried out before the gas company sent a man around to stop the flow into the cellar. Smoke began filling the hallways

shorily after 5 o'clock and Engine Company 11 was the first to respond. Lieut. Volk led the men from his house into the cellar. A wall of smoke and gas came to meet them, and before the source of fire had been come apon Volk York left the pictures in charge of a so- keeled over. His men picked him up and started for fresh air.

Before they got to the street four others - Martin Monahan, Timothy Mahoney, Peter Dalton and John Schmidt-had fallen by the wayside. Dr. McGrath came met his wife, who was Miss Laura Lunt from Bellevue and Dr. Cheatham from Gouverneur and they fixed up the firemen AN UNWILLING HOMECOMER. all but Monahan, who had to go to his quarters, at 437 East Houston street

In the meantime Engine Company 15 got there. Two of its crew were William Hussey and Dan Rogers. They went into the smudge of smoke and gas and rere granted this morning in the case of two minutes later were dragged out unconscious. There was no more fire fighting for those two. It began to look serious for the firemen

when the gas man arrived. Hook and jail on March 31, 1901, while serving a Ladder Company 18 went through the basement of 156 Ridge street and chopped into the partition toward the blaze. When hole was made the draught carried away most of the gas filled smoke and the atmosphere was comparatively cleared. Joseph Ryan of the hook and ladder men inhaled a little as it came out and was stretched out as a conseque

They finally got four lines of hose into the building and then it didn't take long to finish the job. The fire had burned for two hours. Most of the \$1,000 damage was sustained by the Star Novelty Company, dress goods and thread manufacturers, on the ground floor.

still Hope for Fred Gebbard.

Frederick Gebhard, who is seriously ill in his apartments in the Stratford House. II East Thirty-third street, had a comfortable day yesterday. Last night his condition was much the same as it was Thursday night, with little change either way. He is a very sick man and doubts are expressed of his recovery, but his wife and the physicians have not yet given up hope.

Continued from First Page.

pany on the leaf cut out of the min-book, and that it ask and accept the re-nation of L. H. Vail as president and dir

eveloped to warrant the public lieving it was either ins

olders.
The leaf cut out of the book referred payment of 25 per cent. in commission y the new company to the old one on the ew business. By mistake this resolution as copied into the old iminute book stead of the new, and this mistake was copied. new business. By mistake this resolution was copied into the old iminute book instead of the new, and this mistake was rectified. Milton A. Fowier, the vice-president, testified that the resolution was changed by him in his own handwriting and as corrected was passed.

Mr. Butts said that it was to be regretted that Mr. Vail had been asked to resign, as he had worked diligently in the interests of both companies and succeeded in making the new one one of the strong financial institutions of the city and to astile the

difficulties of the old one growing out of the San Francisco disaster. He said that Mr. Vail did not speculate with the funds of the company but with the savings made by the settlement of the San Fran-cisco losses, and these speculations re-sulted in a profit of upward of \$11,000, all of which was turnedfin to the companies. Mr. Vail not profiting a dollar. The directors of the companies did not

or which was turnedph to the companies. Mr. Vail not profiting a dollar.

The directors of the companies did not accept Mr. Vail's resignation to-night. They adjourned until Monday, when action will be taken. Attorney Butts has begun an action in the Supreme Court to wind up the affairs of the old company. The annual statement of the Dutchess Fire Insurance Company, December 31, 1909, is as follows:

Liabilities: Cash capital, \$200,000; unpaid losses, \$44,287.32; reserve for reinsurance, \$295,069.04; all other liabilities, \$5,655.02; total, \$545,032.28. Net surplus over liabilities, \$139,056; increase in assets, \$43,744.38; increase in reinsurance reserve, \$5,764.90; increase in net surplus, \$34,784.18; surplus to policyholders, \$336,-066.

The officers of the Dutchess Fire Insurance Company are: L. H. Vail, president; Milton A. Fowler vice-president; J. J. Graham, secretary; F. L. Vail, assistant secretary; Directors M. A. Fowler, John N. Lewis, S. H. Moore, I. R. Adriance, F. M. Johnston. J. W. Poucher, William E. Hutchins, president of the North River Insurance Company; W. A. Jones, W. W. Smith, J. Edward Sague, Public Service Commissioner; Solomon Ketcham, Jr., Frank J. LeFever, Ira D. Strang and F. L. Vail.

L. Vail.
The directors of the old company
Dutchess Insurance Company) were
H. Vail, M. A. Fowler, W. S. Ketcham,
N. Lewis, E. Ham, C. P. Dorland, S.
Moore, I. R. Adriance, A. H. Vail,
S. Atwater, P. M. Johnston, J. W.
oucher and George H. Sherman.

Nominations by the President Washington, April 22.-President Taft ent to the Senate to-day the following To be United States Marshal, Lee V

Youngworth for southern district of Cali-fornia, and John F Mayes for western To be Collector of Customs for the die trict of Bath, Me., Elwell S. Crosby of Maine To be postmasters—Connecticut: Louis nated and said that the charges J. Fontaine, Baltic. New Jersey: Carl L.

bolland, Fort Henry New Attorney-General for Porto Rice

WASHINGTON, April 22. -- Annous was made at the White House to-nigh that President Taft had nominated Foster that President Taft had nominated Foster
V. Brown, an attorney of Chattanooga.
Tenn., to be Attorney-General for Porto
Rico. Mr. Brown is regarded by President Taft as a valuable addition to his
logal family. He is a Republican and one
of the best known lawyers in Tennesse.
He succeeds Henry M. Hoyt.

Senator McCumber Seriously 31.

WASHINGTON, April 22. - Senator Porter McCumber of North Dakota, whose condition following an operation was reported as serious this morning, is restin ported as serious tals morming, is resting easier to-night. His temperature, which was 103 nearly all last night, was reduced to-night to nearly normal, and the restlessness from which he suffered last night has almost entirely disappeared. He is not out of danger yet and callers are still denied admission to his room at the Garfield Hospital. The operation was performed two days ago and was not considered serious at the time. formed two days ago and sidered serious at the time

Better Postal Service for Brooklyn. Postmaster Voorhees of Brooklyn on his return yesterday from Waelington his return yesterday from washington announced that the postal authorities would back him up in certain plans he had under way for the improvement of the postal service. He says he will soon be able to establish two new carrier stations, one in the Gravesend section and the other in South Brooklyn.

THE WALKING OF WESTON Always Stimulates INTEREST IN WALKING ALLEN'S FOOT-EASE Shake Into Your Shoes





RELIGIOUS NOTICES.

BRICK CHURCH Pifth Ave. and Thirty-seventh Street.
v. Robert Davis will preach at 11 A.M. and 8 P.M.
Dr. Heary Van Dyke at 4 P.M.
Bible School and Classes at 9:85 A. M.
secratory Service. Wednesday evening at 8.



PACKARD MOTOR CAR COMPANY OF NEW YORK

The Sunday Sun

It may be that you regard the subject of Babies' Bonnets as trifling Go to your women folk with this idea and you will perceive the wisdom of that English paradoxer who has written many words con-cerning "tremendous trifles." They will understand the importance of an article in to-morrow's paper descriptive of the varieties of sum Some day soon your small boy may strut into the house and inform

you that he has become an "American Scout," so you might just as well learn all about that organization, come to us from England and described in an article to-morrow That same small boy if he gets out of doors in the country these days is presumably interested in the catching of "the plebeian bull-head in the crick" and his father will chuckle reminiscently over to-morrow's story telling how it is

And, speaking of children, the writer of boys' books will have to travel to Central America in the future for his local coloring of the red man if the scheme of Little Bison told of to-morrow is a success. He wants to get the Sjoux out of reservation and restraint and

they can develop.
Out in Albania they are having a fearful row about the alphabet that may lead to international complications, and that will surely interest cations, and that will surely interest you when you read the Sunday Sun's account of it. The men that make up the new Rules Committee of the House are

pretty important persons just now Better find out all about them to-

Did you ever realize that cold fee cause red noses? They do just the same, and the best way to avoid either is to read to-morrow's account of the Spring Beauty Quest A Sunday SUN writer takes you to a rehearsal of a play that is troublesome because of its traditions and furnishes amusing reading. Then a woman novelist tells of her adventures that are many and varied There are some striking pictures of Society's Younger Members in to-

morrow's paper and a story abou Baltimore's Beautiful Women. All these features, of course, are in addition to the regular reviews of books and art and music and bridge whist and chess that make the S day Sun so popular with so many sorts of people.



DIED.

LADEW.—Placa Stotel, Louise Segry Wall Ladew. widow of Edward R. Ladew of Glen Cove. L. 1. Notice of funeral hereafter.

LADEW.—Leuise Berry Wall Ladew.
Puneral Monday, April 23, from her late residence, Glen Cove, L. I. Train leaves East 34th st., Long Island R. R., 5:30 A. M.
LINDSLEY.—On Wednesday, April 29, 1993.
Frances I. B. Lindsley.
Puneral services at her late residence, 44 West 77th st., Friday afternoon, at 3 o'clock. 19-tgment at Belvidere, N. J., on Saturday afternoon.

ickinley.—On Wednesday, April 20, at his residence, Shorman Square Hotel, Broadway and 71st st., New York, James D. McKinley, in his 38th year. Funeral services Saturiay 23d, at 1 P. M. Kindly omit flowers. OLYPHANT.—On April 21, 1910, Caroline West more, wife of Robert Olyphant and eldest

daughter of the late Frants B, and Cornella R, Müllet. Funeral from her late residence 16 East 52d st., on Saturday morning. April 23, at 10 o'clock EVER .- On Priday, April 22, 1910, Clara C., will of John R. Sever. Funeral services at the Church of the Holy

Communion, 30th st. and 6th av., on Sunday April 26, at 2 P. M. Interment in Green SEVER. -On Priday, April 22, 1910, John R. Seven Funeral services at the Church of the Hotz Communion, 20th st. and 6th av., on Sunday April 24, at 2 P. M. Interment in Green

SEYMOUR.—Suddenly, on April 22, at Petham Heights, N. Y., Walter Allen Seymour age! 34 years. Notice of funeral later.

UNDERTAKERS

FRANK E. CAMPRELL, 243-243 W. 236 St Chapels. Ambulance service. Tel. 1324 Chelson RELIGIOUS NOTICES.

FIFTH AVENUE PRESBYTERIAN CHURCH REV. C. WALDO CHERRY, of Yroy, M. Y.

will officiate. Morning Topti:
"The Hidden Reveinting." Afternoon Topic
"Our Need of the Future."
Sunday School meets at 9:30 A. M.
closing Session for the Leason of the Men's BibClass at 10 A. M.
Wednesday Evening Lecture at 8:15 by
Rev. Arthur T. Pierson, B. B.
STRANGERS ARE CORDIALLY INVITED. CENTRAL PRESBYTERIAN CHURCE

BEBPORD PRESSYTESIAN CHURCH.
Nostrand av. and Dess st., Brooklyn. Paster S.
Edward Young will preach 10:65 A. M. 4 7:45 P. Ma